

1 H. JOSEPH ESCHER, III (No. 85551)  
joseph.escher@dechert.com  
2 AMY THAYER (No. 266142)  
amy.thayer@dechert.com  
3 CARL GISMERVIG (No. 267930)  
carl.gismervig@dechert.com  
4 DECHERT LLP  
5 One Maritime Plaza Suite 2300  
San Francisco, California 94111-3513  
6 Telephone: (415) 262-4500  
7 Facsimile: (415) 262-4555

8 *Attorneys for Plaintiff*  
*Dexter E. Dale*

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10 KAMALA D. HARRIS  
Attorney General of California  
JOHN DEVINE  
11 Supervising Deputy Attorney General  
DANIEL ALWEISS  
12 Deputy Attorney General  
State Bar No. 191560  
13 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
14 Telephone: 415 703-1276  
Facsimile: 415 703-5480  
15 E-mail: Daniel.Alweiss@doj.ca.gov

16 *Attorneys for Defendants*  
*Fernandez and Lough*

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19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 DEXTER E. DALE,  
23  
24 Plaintiff,  
25 v.  
26 L. FERNANDEZ AND L. LOUGH  
27 Defendants.  
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No. C 05-1842 JSW

**STIPULATION AND ~~[PROPOSED]~~  
WRIT OF HABEAS CORPUS AD  
TESTIFICANDUM AND ORDER TO  
TRANSFER INMATE DEXTER E.  
DALE (D-14750)**

Dept: Courtroom 11, 19th Floor  
Judge: Hon. Jeffrey S. White

**STIPULATION**

1. Plaintiff in this action, Dexter E. Dale, CDCR No. D-14750, is a prisoner-inmate at the Correctional Training Facility in Soledad, California in the custody of the Warden;

2. Plaintiff is a necessary and material witness at the trial in this action, which is scheduled to commence on August, 6, 2012;

3. In order to secure Plaintiff's attendance at trial, it is necessary that a Writ of Habeas Corpus Ad Testificandum issue commanding the custodian of Dexter E. Dale to produce him at trial;

4. Counsel for Plaintiff and Defendants have met and conferred and agreed that Plaintiff shall be transferred to San Quentin State Prison approximately one week prior to trial to enable counsel for Plaintiff to prepare him for trial;

Therefore, pursuant to Local Rule 7-12, Plaintiff and Defendants, through counsel, hereby submit this stipulated request for a Writ of Habeas Corpus Ad Testificandum and Order to Transport Inmate Dexter Dale.

Dated: July 13, 2012

DECHERT LLP

By: /s/ Amy Thayer  
AMY THAYER

Counsel for Plaintiff DEXTER E. DALE

CALIFORNIA STATE ATTORNEY GENERAL'S  
OFFICE

By: /s/ Daniel Alweiss<sup>1</sup>  
DANIEL ALWEISS

Counsel for Defendants L. FERNANDEZ and  
L. LOUGH

<sup>1</sup> Pursuant to General Order 45(X), the filer of this document hereby attests that concurrence in the filing of the document has been obtained from Daniel Alweiss.

~~PROPOSED~~ ORDER

ACCORDINGLY, IT IS ORDERED that:

A Writ of Habeas Corpus Ad Testificandum shall issue commanding the Warden of the Correctional Training Facility in Soledad, California to produce Dexter E. Dale, CDCR No. D-14750, to San Quentin State Prison not later than July 30, 2012, where he will remain from day to day until completion of the trial.

A Writ of Habeas Corpus Ad Testificandum shall issue commanding the Warden of San Quentin State Prison to produce Dexter E. Dale, CDCR No. D-14750, for pickup by the U.S. Marshals service at 6:30 a.m. on August 6, 2012, and on each trial day thereafter until completion of the trial.

**WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

TO THE WARDEN OF Correctional Training Facility in Soledad, California:

YOU ARE ORDERED to produce Dexter E. Dale, CDCR No. D-14750, to San Quentin State Prison not later than July 30, 2012, where he will remain from day to day until completion of the trial.

TO THE WARDEN OF San Quentin State Prison, California:

YOU ARE ORDERED to produce Dexter E. Dale, CDCR No. D-14750, for pickup by the U.S. Marshals service at 6:30 a.m. on August 6, 2012, and on each trial day thereafter until completion of the trial.

IT IS SO ORDERED.

July 16, 2012

  
THE HONORABLE JEFFREY S. WHITE  
United States District Judge